IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWELFTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 2725 of 2004

Between:

Totakura Sambasiva Rao, S/o. Balaramaiah, R/o. Santapeta, Opp: to Ranga Bhavan, Ongole, Prakasam Distrrict.

..... PETITIONER

AND

1 The District Collector, Prakasam Distrrict, Ongole.
2 The Superintendent of Police, Ongole, Prakasam Distrrict.
3 The Municipal Commissioner, Ongole, Prakasam Distrrict.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus, or any other appropriate writ, order or direction declaring the action of the Respondents in not prohibiting the Trailers and Transport of Granites to pass through the roads in Santapet area, Ongole, Prakasam Distrrict as arbitrary, unjustified and illegal and consequently direct the Respondents to prohibit movement of Heavy Loaded Trailers and transport of Granites on the road in Santapet Area, Ongole, Prakasam Distrrict.

Counsel for the Petitioner: MR.P.VENKAT RAO

Counsel for the Respondent No.1: GP FOR REVENUE

Counsel for the Respondent No.2: GP FOR HOME

Counsel for the Respondent No.3: Mr.Srinivas Dammalapati

The Court made the following :

ORAL ORDER: (per the Hon'ble the Chief Justice)

The grievance made in this petition filed as Public Interest Litigation is that Santhapet area of Prakasham District is a residential area developed with well laid roads, electricity, etc., and having many educational institutions also. There is a main road passing through the residential area and the road width was originally 80 feet. Presently, the road width is 50 to 60 feet because of certain encroachments. Grievance has been made in the petition that loaded trailers carrying heavy granite stones weighing 70 to 80 tonnes are being plied on small roads and lanes thus exposing the public to danger. Therefore, prayer has been made to direct the respondents to prohibit the heavy loaded trailers and transport of granite from passing through the roads. The petitioner also claimed that he submitted representations to the respondents but no action has been taken so far.

We have today passed orders in a similar writ petition No.11769 of 2004. In this petition also, we are of the view that same direction deserves to be issued to the respondents. Whatever grievances that have been made by the petitioner in the writ petition are required to be looked into by the respondents so as to enable them to take appropriate remedial measures, if any, in accordance with law.

Accordingly, we direct the respondents to treat the writ petition itself as a representation and take appropriate decision thereon in accordance with law within four weeks from the date of receipt of a copy of this order. In case any remedial measures are required to be taken, the respondents will ensure that the same are also duly taken.

Ordered accordingly and the writ petition stands disposed of.

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DEVINDER GUPTA, CJ

12-8-2004

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C.V.RAMULU, J

Tvr

To

1 The District Collector, Prakasam Distrrict, Ongole.
2 The Superintendent of Police, Ongole, Prakasam Distrrict.
3 The Municipal Commissioner, Ongole, Prakasam Distrrict.

4 2 CCs to the Govt. Pleader for Revenue, High Court Buildings,

Hyderabad, (OUT)

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Hyderabad (OUT).

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